



RCE/16948

MAIL STOP RCE  
PATENT  
0508-1008

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Bernard KLEIN et al.

Serial No. 09/890,652

Filed November 27, 2001

Conf. 5268

Group 1644

Examiner M. Belyavskiy

CELL COMPOSITIONS CONTAINING  
MACROPHAGES, PRESENTING ANTI-  
INFECTIOUS AND HEMATOPOIETIC  
PROPERTIES

#14  
JVM  
5/30/03  
**RECEIVED**

MAY 30 2003

REQUEST FOR CONTINUED EXAMINATION  
UNDER 37 C.F.R. § 1.114

TECH CENTER 1600/2900

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

May 28, 2003

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under §1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☐ The enclosed document is being transmitted via facsimile.

05/29/2003 DTESSEM1 00000146 09890652

01 FC:1801  
02 FC:1251

750.00 OP  
110.00 OP

☒ **Submission Required under 37 C.F.R. § 1.114:**

Enter as part of the present submission:

- ☐ An After Final Amendment previously filed on \_\_\_\_\_, under 37 C.F.R. § 1.116 but unentered, in the present application.
- ☐ Arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- ☐ A Reply Under Rule 1.111, attached hereto. Claim fee(s) are calculated as set forth below:

	TOTAL NUMBER OF CLAIMS PREVIOUSLY FILED	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	NUMBER EXTRA	RATE	FEE
Total Claims	19	16	0	x\$18 =	\$0.00
Independent Claims	3	3	0	x\$84 =	\$0.00
TOTAL CLAIM FEE(S)					\$0.00

- ☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.

☒ Other: Amendment

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

- ☐ \$375.00 - small entity
- ☒ \$750.00 - large entity

☒ The applicant(s) hereby petition(s) for an extension of one (1) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:

- ☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$110.00 is required for the full period of the above-requested extension of time.
- ☐ An extension of ( ) month(s) was previously requested and paid for on \_\_\_\_\_ in the instant application. Thus, a fee of \$0.00 is required to obtain an additional ( ) month(s) extension.

- ☒ Enclosed is a check in the amount of \$860.00 for the applicable filing fee, additional claims fee, and/or extension fees.
- ☐ Please charge Deposit Account No. 25-0120 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

YOUNG & THOMPSON

*Philip Dubois*

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PD/lk

Attachments

Revised 0/0/0000